



# TOWN OF TYNGSBOROUGH

Office of the Selectmen

25 Bryants Lane

Tyngsborough, MA 01879

Tel: 978 649-2300 Ext. 100

Fax: 978 649-2320

## Selectmen's Meeting Minutes

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Monday March 9, 2009

6:00 P.M.

Town Offices

Members present: Selectwoman Ashley O'Neill, Selectman Rich Lemoine, Selectwoman Jacqueline Schnackertz, Selectwoman Karyn Puleo, Selectman Kevin O'Connor.

Staff Present: Town Administrator Rosemary Cashman, and Admin Assistant Therese Gay

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Chairman Kevin O'Connor called the meeting to order. The Board was introduced and Selectwoman Jacqueline Schnackertz read this evening's agenda.

1. 6:00 P.M. Review and Approve the PD's Policies and Procedures

The Chief presented his policies and procedures to the Board. He has enclosed 5 policies and 1 general order. These policies were formed and/or bargained by the union and the administration. Special Counsel has reviewed them and submitted his comments.

The Board voted unanimously on a motion by Selectwoman Schnackertz, second by Selectwoman Puleo to approve the Police Department's Policy and Procedure #4.04 Victim/Witness Assistance; Policy and Procedure #4.05 Death or Serious Injury; Policy & Procedure #4.30 Line of Duty Death or Injury; Policy & Procedure #5.01 Traffic; Policy & Procedure #5.04 Impaired Drivers; and General Order #2008-11 Tactical Team Equipment.

2. 6:20 P.M. Manager Transfer Request – Carrabba's 386 Middlesex Road

Mr. Matthew Czyzycki, is the new manager at Carrabba's Italian Grill. He is before the Board to request the Board approve the transfer as requested. The Board reviewed the application for transfer and voted unanimously on a motion by Selectwoman Schnackertz, second by Selectwoman Puleo to approve the change of manager as presented.

3. 6:50 P.M.– Livery License Request – Michael Manick 276 Middlesex Road

Mr. Michael Manick is the owner operator of Glenview Limousine, DBA VIP Limousines located at 276 Middlesex Road. The owner of the complex Assaad Maroun, has given permission to Glenview Limousines to operate from 276 Middlesex Road. All of Mr. Manick's paperwork is in order and his drivers have no record. The Board voted unanimously on a motion by Selectman Lemoine, second by Selectwoman O'Neill to issue a Livery License to Glenview Limousines, LLC DBA VIP Limousines at 276 Middlesex Road.

4. Citizen's Time

A new resident came forward to introduce herself and to announce that she is running for one of the open positions for Selectman. The Board welcomed her to town and did offer information on the candidate night forum. She thanked the Board.

5. Minutes - Approve Minutes of Monday, September 22, 2008, Monday, October 6, 2008, Monday October 20, 2008, Monday, November 3, 2008, Monday, November 17, 2008,

December 1, 2008, Monday, December 15, 2008, Monday, January 5, 2009, January 26, 2009, Monday, February 2, 2009, Monday, February 9, 2009, and Tuesday, February 10, 2009.

The Board voted unanimously on a motion by Selectwoman Schnackertz, second by Selectwoman Puleo to approve the above mentioned meeting minutes with Selectwoman O'Neill abstaining from voting on the Minutes of October 6, 2008, and December 15, 2008; Selectwoman Puleo abstaining from voting on the Minutes of January 5, 2009; Selectwoman Schnackertz abstaining from voting on the Minutes of January 26, 2009; and Selectman Lemoine abstaining from voting on the Minutes of February 6, 2009.

Approve but not Released - Executive Session Minutes of Monday, September 22, 2008, Monday, November 3, 2008, Monday, November 17, 2008, Monday, December 15, 2008, and Monday, January 26, 2009.

The Board voted unanimously on a motion by Selectwoman Schnackertz, second by Selectwoman Puleo to approve the above mentioned executive session minutes with Selectwoman O'Neill abstaining from voting on the Minutes of December 15, 2008; and Selectwoman Schnackertz abstaining from voting on the Minutes of January 26, 2009.

## 6. Other Business

### A. Senior Citizen Tax Work Off Program

The Board voted unanimously on a motion by Selectwoman Puleo, second by Selectwoman Schnackertz to implement the Senior Tax Work-Off Abatement Program with the noted changes. The minimum years of residential property ownership to be at least 5 years, and preference will be given to qualified seniors who have not previously received an abatement. Also, the Selectmen encourage those with financial need to apply.

### B. Conservation Appointment

The Board would like a letter of recommendation from the Conservation Commissioners, and would like to invite Mr. Earl to their next meeting to meet him.

### C. Snow Expenditure

The Board received a letter from Ric Flanagan, Highway Administrator, requesting additional monies for the removal of snow. The Board voted unanimously on a motion by Selectwoman Puleo, second by Selectwoman Schnackertz to approve the additional monies as follows: In accordance with Chapter 44, section 31D, Massachusetts General Laws we the Board of Selectmen, do hereby authorize the Town Accountant to issue warrants and the Town Treasurer to pay such warrants in excess of funds for snow and ice removal, such warrants not to exceed \$100,000.00. Expenditures made under this authority shall be certified to the Board of Assessors and included in the next annual tax rate.

## 7. Correspondence

The Board voted unanimously on a motion by Selectwoman Schnackertz, second by Selectwoman Puleo to accept the correspondence for discussion. The Board voted unanimously on a motion by Selectwoman Schnackertz, second by Selectwoman Puleo to accept with regret the resignation of David Paquette, Media Program Director, and Henry Jungman, Conservation Commissioner.

## 8. Selectmen's Notes

Selectman Lemoine thanked Bob Sherburne and Henry Jungman for the years of service on the Conservation Commission. He has also cautioned everyone of the thinning ice. Selectwoman Puleo reported that the Strategic Financial Planning Committee has been working on recommendations on how the town could save during this economic difficulty, they

will be in to present to the Selectmen in April. There have been discussions on personnel, costs, implementation of a trash fee, and regionalizing some departments. The Town Administrator and Selectmen are to meet with the unions to discuss how they can help to close the budget deficit. Selectman O'Connor noted that the office has just received a notice that the Town's assessment portion to the Greater Lowell Technical School has increased by 16%; the Board will ask Greater Lowell committee members to meet with the Board to discuss the increase. Because of the budget crisis and that the state aid number will not be in until late April, the Board is looking to delay the May ATM to June. The Chairman and the Town Administrator have been meeting regularly with the School Committee Chair and Superintendent to discuss the budget deficit. Note Selectman O'Connor, the DEP is doing some testing of private wells of some 1600 wells in various communities. It is not unusual for uranium to be present in bedrock.

#### 9. Town Administrator's Notes

The Administrator received correspondence from the Greater Lowell Technical HS informing the Town that there is an additional 10 Tyngsborough students, and that the transportation assessment may be lower than projected. Another matter is the Greater Lowell's major renovation, and whether the Town can afford such a renovation. The Board may want to set up a meeting to sit down with the Greater Lowell Committee members to discuss the increase. The current Media Program Director has resigned, he is returning to work for Dracut. Rather than post the position the Administrator suggested that the Board may want to look at the other finalist for the position.

Three of the Town projects are moving along. (1) The Town Center-Demolition of Portion of Shur Fine Market: The Town Administrator is working on the bid specifications. The Building Commissioner is obtaining more information on any hazardous materials that may be in the building (i.e. asbestos). (2) The Town Center- Market Analysis. The Town Administrator is working on the bid specifications and hopes to finalize these soon. (3) The Former Campground: the Consultant is preparing the bid specifications. Also, the consultant is working on the permitting applications with the Conservation Commission and Natural Heritage and Endangered Species.

#### 10. Executive Session (if needed)

##### A. Collective Bargaining

The Board voted unanimously on a motion by Selectwoman Schnackertz, second by Selectwoman Puleo to enter into Executive Session and to return to open session only to adjourn. Roll Call Vote: Selectwoman Ashley O'Neill, yes; Selectman Rich Lemoine, yes; Selectwoman Schnackertz, yes; Selectwoman Karyn Puleo, yes; Selectman Kevin O'Connor, yes. The Board entered into Executive Session at 7:55 P.M.

The Board exited the Executive Session at 8:35 P.M.

#### 11. Adjournment

The Board voted unanimously on a motion by Selectwoman Puleo, second by Selectwoman Schnackertz to adjourn the meeting. The meeting was adjourned at 8:35 P.M.

Respectfully submitted

Therese Gay  
Admin Assistant

Approved on \_\_\_\_\_